



The Regular Meeting of the
Brian Head Town Council
 Town Hall Council Chambers
 56 N. Hwy 143, Brian Head, UT 84719
TUESDAY, MAY 24, 2011 TO BEGIN AFTER
THE REDEVELOPMENT AGENCY
MEETING SCHEDULED TO BEGIN @ 1:00 PM
AGENDA

A. CALL TO ORDER

B. DISCLOSURES

C. APPROVAL OF THE MINUTES:

1. April 7&8, 2011 Budget Retreat Town Council Meeting
2. April 12, 2011 Town Council Meeting
3. April 26, 2011 Town Council Meeting
4. May 10, 2011 Town Council Meeting

D. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

E. AGENDA TOPICS:

1. **PUBLIC HEARING FOR THE 2011-2012 BRIAN HEAD TOWN BUDGET ENDING JUNE 30, 2012.** The Council will receive public input on the proposed 2011-2012 Town Budget ending June 30, 2013. Oral comments are limited to three minutes and written comments may be submitted to the Town Clerk no later than 4:30 on May 23, 2011.
2. **USDA DRAW FOR MARCH, 2011.** Chet Hovey, Town Engineer. The Council will approve the Partial Pay Requests for reimbursement from USDA for the month of March, 2011 for water system improvements.
3. **EASEMENT APPLICATION REQUEST FOR STATE TRUST LANDS FOR WATERLINE INSTALLATION .** Tom Stratton, Public Works Director. The Council will consider a request to submit an easement application to the State Trust Lands for waterline installation to the Bearflat Well site.
4. **SCANNER/COPIER ACQUISITION REQUEST.** Tom Stratton, Public Works Director. The Council will consider a request to purchase a Scanner/copier for the Public Works Department.
5. **PUBLIC SAFETY DEPARTMENT PROPERTY DISPOSAL REQUEST.** Gary Bulloch, Public Safety Director. The Council will consider the disposal of unused public safety equipment which could be beneficial to other communities in need.
6. **FIRE APPARATUS (ARRF) VEHICLE ACQUISITION DISCUSSION.** Gary Bulloch, Public Safety Director. The Council will hold discussion on an opportunity to acquire a federally owned fire apparatus free of charge for the town of Brian Head.
7. **EXISTING PUBLIC SAFETY BUILDING RELOCATION INFORMATION.** Bryce Haderlie, Town Manager. The Council will review information regarding the dismantling of the existing public safety building and relocating the building to property located in Parowan.
8. **PROPOSED RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE.** Bryce Haderlie, Town Manager. The Council will consider a proposed resolution amending the Consolidated Fee Schedule (A schedule of all fees charged by the Town).
9. **PROPOSED RESOLUTION ADOPTING THE BRIAN HEAD SOCIAL MEDIA POLICY.** Nancy Leigh, Town Clerk. The Council will consider a proposed resolution adopting the Social Media Policy for the Town of Brian Head.
10. **PROPOSED ORDINANCE ADOPTING THE PUBLIC BODIES MEETING POLICY AND PROCEDURES.** Nancy Leigh, Town Clerk. The Council will consider a proposed ordinance adopting a meeting policy for all public boards of the town.

F. ADJOURNMENT

Dated the 20th Day of May, 2011

1 Available to Board Members as per Resolution No. 347 authorizes public bodies, including the Town, to establish written procedures governing the
2 calling and holding of electronic meetings at which one or more members of the Council may participate by means of a telephonic or telecommunications
3 conference. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should
4 call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

5 **CERTIFICATE OF POSTING**

6 I hereby certify that I have posted copies of this agenda in three public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall,
7 Post Office and The Mall on this 20th day of May 2011 and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this
8 notice to be delivered to the Daily Spectrum, a newspaper of general circulation.
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11 Nancy Leigh, Town Clerk
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**The Regular Meeting of the
Brian Head Town Council
Town Hall Council Chambers
56 N. Hwy 143, Brian Head, UT 84719
TUESDAY, MAY 24, 2011 @ 1:00 PM**

Roll Call.

Members Present: Mayor H.C. Deutschlander, Council Member Stewart Fausett, Council Member Hans Schwob, Council Member Jim Ortler.

Absent/Excused: Council Member Linda Ames.

Staff Present: Bryce Haderlie, Nancy Leigh, Tom Stratton, Cecilia Johnson, Gary Bulloch, Wendy Dowland, Chet Hovey (Town Engineer).

A. CALL TO ORDER

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:05 p.m.

B. DISCLOSURES

There were no conflicts of interest with today's agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Recorder's office and are available for public inspection during normal business hours.

C. APPROVAL OF THE MINUTES:**1. April 7&8, 2011 Budget Retreat Meeting**

Motion: Council Member Ortler moved to approve the April 7/8, 2011 Budget Retreat minutes. Council Member Schwob seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Ortler, Council Member Schwob. Absent: Council Member Ames).**

2. April 12, 2011 Town Council Meeting

Motion: Council Member Ortler moved to approve the April 12, 2011 Town Council minutes. Council Member Schwob seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Ortler, Council Member Schwob. Absent: Council Member Ames).**

3. April 26, 2011 Town Council Meeting

Motion: Council Member Ortler moved to approve the April 26, 2011 Town Council minutes. Council Member Schwob seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Ortler, Council Member Schwob. Absent: Council Member Ames).**

4. May 10, 2011 Town Council Meeting

Motion: Council Member Ortler moved to approve the May 10, 2011 Town Council minutes. Council Member Schwob seconded the motion.

Action: **Motion carried 3-0-1(summary: Yes = 3, No = 0, Abstain = 1 Vote: Yes: Mayor Deutschlander, Council Member Schwob, Council Member Ortler. Abstain: Council Member Fausett who stated he was not present at the meeting. Absent: Council Member Ames).**

D. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Mayor Deutschlander reported on a Tourism Conference he attended in Park City, UT last week. Mayor Deutschlander commented that Brian Head has its own niche as a resort community and believes the citizens and Council should concentrate on what Brian Head really is instead of trying to be a Park City resort community. Mayor Deutschlander went on to give the highlights from the conference:

- 1) Park City has joined with Rocky Mountain Power to purchase wind power credits which received favorable comments from the public.
- 2) Park City has 7,000 acres of open space for trails in which 304 miles of trails are leading out of the city.
- 3) The Paiute Trail has 273 miles in Sevier County in which the trail systems access over 1,000 other trails and the annual ATV Jamboree brings in between six to eight million dollars to Sevier County.

Bryce Haderlie, Town Manager

1. Updated the Council on the current zoning of the public safety building which is zoned as R-3 (multi-family residential), this zone allows for civic to be built, but in reviewing the zoning with the Town Planner, staff is evaluating the option on whether to proceed with a zone change or a conditional use. Once determined, the staff will report back to the Council.
2. Updated the Council on the contract between the town and Pendleton Building (Contractor At Risk for the public safety building project). Mr. Pendleton is currently working on the contract which will not be ready for Council's

consideration on May 31, 2011 as originally intended, but could be ready for a June 2, 2011 special Council meeting. Staff will continue to keep the Council updated on the progress.

3. The Arbor Day celebration has been postponed due to inclement weather. The Tree Commission is working with the Mayor and will be requesting a change of date for Arbor Day to June 14, 2011. The grant that was approved is due by June 15, 2011.
4. The town's website has been hacked which disabled the website for a day. Staff is currently working on bringing the information back onto the website. Security measures have been increased by changing passwords and continuous monitoring of the system.
5. Updated the Council on the progress for the wireless internet throughout the town. Bryce reported he has spoken with Mr. Carpenter who reported that Skyview from St. George will be visiting the town to seek out a possible location for a tower. Mr. Carpenter will be working with Skyview to identify possible internet locations for the town.

Tom Stratton, Public Works Director, received information yesterday regarding the removal of an underground storage tank at Chalet Village Condos. Once the trench is open, the town will install the last water meter at Chalet Village.

Gary Bulloch, Public Safety Director, updated the Council on the clean out of the public safety building. Landmark Engineering has completed an Asbestos test which came back negative for Asbestos.

E. AGENDA TOPICS:

1. PUBLIC HEARING FOR THE 2011-2012 BRIAN HEAD TOWN BUDGET ENDING JUNE 30, 2012. Public input on the proposed 2011-2012 Town Budget ending June 30, 2013.

Bryce Haderlie, Town Manager, explained a public hearing is required by state law for the adoption of the 2011-2012 town budget.

Bryce reported the proposed budget has been available to the public in the office of the Recorder.

Mayor Deutschlander opened the public hearing for the 2011-2012 Brian Head Town Budget at 1:30 p.m. There were no comments from the public. Nancy Leigh, Town Clerk, reported no written comments were submitted. Mayor Deutschlander closed the public hearing at 1:31 p.m.

• DISCUSSION ON THE 2011-2012 BRIAN HEAD TOWN BUDGET

Discussion was held on the Debt Service Fund and impact of the possible Bristlecone SID bond payment the town may have to make in July, 2011. Bryce reported on the tentative schedule for adopting the 2011-2012 town budget on June 14, 2011, otherwise, the Council would need to hold a special meeting in order to adopt the budget by June 22, 2011 as per state law requirements.

Consensus of the Council: A work session will be scheduled for June 14, 2011 at 10:00 am. to review the 2011-2012 budget.

2. USDA DRAW FOR MARCH, 2011. Partial Pay Requests for reimbursement from USDA for the month of March, 2011 for water system improvements.

Chet Hovey, Town Engineer, presented the USDA Partial Pay Requests for March, 2011 (see attached).

Administration Partial Pay Request #20 in the amount of \$41,661.29 was presented to Council for review and approval.

Motion: Council Member Schwob moved to approve Administration #20 Partial Pay Request in the amount of \$41,661.29. Council Member Fausett seconded the motion.

Council Member Fausett inquired as to an expenditure of \$6,042.00 in the partial pay requests. Chet Hovey responded it was a continuation of closing out the contract for the IMG Mammoth water tank. Chet then updated the Council on upcoming USDA pay requests for the snowmaking reimbursement which will be presented to Council next month.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. Absent: Council Member Ames).**

Bearflat Well Construction Partial Pay Request #1 in the amount of \$107,958.95 to Grimshaw Drilling for work completed including the access road, mobilization and stored materials (pre-purchased casing) (see attached).

Discussion was held regarding item A-10 and A-6 in the attached spreadsheets showing two difference line items. Chet explained that A-6 is the first 115 feet cemented in and the balance down to 700 feet is an additional 4" casing. In comparing item A-6 and A-10, there is a conflict in which the hole is 20" in width and the casing is 24". Chet explained it was a typo and should be 16" for the casing on A-10.

Motion: Council Member Schwob moved to approve Partial Pay Request #1 in the amount of \$107,958.00 for the Bearflat Well Construction and changes to line A-10 be corrected before the Mayor signs the requests. Council Member Fausett seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. Absent: Council Member Ames).**

Council Member Ortler brought other items to be corrected prior to the Mayor's signature to Chet's attention. Chet will confirm the corrections in the supporting documents before the Mayor signs the requests.

3. EASEMENT APPLICATION REQUEST FOR STATE TRUST LANDS FOR WATERLINE INSTALLATION . An easement application to the State Trust Lands for waterline installation to the Bearflat Well site.

Tom Stratton, Public Works Director, presented a copy of a map showing the waterlines from the new Bearflat Well to the existing water tank located by ski lift #3 (see attached). Tom explained the town is requesting an easement from State Trust Lands for the location of the waterline and there is a onetime fee of \$2,317.00.

Discussion was held regarding the town installing a distribution waterline when the trench is open for the installation of the waterline to the Bearflat well. The Council suggested a distribution line be installed at the time of the dedicated water line for the well to the tank.

Motion: Council Member Ortler moved to authorize the Mayor to sign the State Land Trust Easement Application and approve the expenditure of \$2,317.00 for the application in order to facilitate the waterline to the new Bearflat Well. Council Member Schwob seconded the motion.

Action: Motion carried 4-0-0 (**summary: Yes = 4 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. **Absent:** Council Member Ames).

4. SCANNER/COPIER ACQUISITION REQUEST. A request to purchase a Scanner/copier for the Public Works Department.

Tom Stratton, Public Works Director, updated the Council on the condition of the current plotter/scanner which is no longer functioning. Wendy Dowland, Public Works Assistant, has found a 36" scanner/plotter for \$6,000.00 (see attached). Staff presented the Council with the purchase request during the budget retreat in which the cost was approximately \$15,000.00.

Council Member Hans inquired as to what company would have the capability to service the scanner if it were purchased. Wendy responded she will research the issue to determine if Document Solutions in Cedar City has the capability to service the scanner since they are currently servicing the town's copier.

Motion: Council Member Ortler moved to approve the expenditure not to exceed \$6,000.00 and the purchase be made within the current budget year of 2010-2011. Council Member Fausett seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. **Absent:** Council Member Ames).

5. PUBLIC SAFETY DEPARTMENT PROPERTY DISPOSAL REQUEST. The disposal of unused public safety equipment which could be beneficial to other communities in need.

Gary Bulloch, Public Safety Director, requested Council's permission to dispose of some of the public safety building property. Items such as SCBA's with the elephant truck and air tanks that are over 15 years old and can no longer be tested along with other properties. Gary reported he would like to turn them over to the State Fire Warden in Garfield County for the Mammoth Creek and Panguitch Lake fire departments. Donations to other fire departments would give credit to the town on FEMA grants in the future.

Discussion was held regarding the town's liability of turning over property which can't be certified by the state. Council Member Ortler suggested the donation and responsibility for assuming the property be identified in writing.

Motion: Council Member Ortler moved to authorize the Public Safety Department to dispose of surplus property to be either donated to other public agencies or advertised for a public sale.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. **Absent:** Council Member Ames).

Council Member Ortler stated this authorization is for the current situation only and will not apply for future donations.

6. FIRE APPARATUS (ARRF) VEHICLE ACQUISITION DISCUSSION. Acquisition of a federally owned fire apparatus free of charge for the town of Brian Head.

Gary Bulloch, Public Safety Director, presented information on an ARRF fire vehicle in which the Federal Government will donate to qualified fire departments. An ARRF vehicle is a special type of fire truck used at airports which typically sits at the end of runways and is used for extinguishing airplane fires. Gary reported he has seen the vehicle, which is in excellent condition, and met with the Fire Coordinating Group to review the qualifications required to host the vehicle. Some of the Public Safety officers and volunteer firefighters meet the requirements for the ARRF, otherwise, it could cost the town approximately \$2,700.00 to get the personnel certified to use the truck.

Gary reported the tires are in poor shape and could cost the town approximately \$11,000.00 per tire to replace. Council inquired if the vehicle could be used as a water tender truck for the public works department. Gary reported the vehicle has a 1,500 gallon water tank and ground sweepers, but the vehicle is designed to spray water rapidly and may not benefit the public works department on some of their projects. Gary recommended the town not pursue this particular vehicle but to keep looking for a truck that can be utilized between both departments.

7. EXISTING PUBLIC SAFETY BUILDING RELOCATION INFORMATION. The dismantling of the existing public safety building and relocating the building to property located in Parowan.

Bryce Haderlie, Town Manager, explained he was instructed by Council to obtain prices on properties in Parowan for a possible location of a public works building. Bryce reported he has spoken with the Parowan City Manager on possible locations. Parowan currently has eight (8) acres of property located by the Utah Department of Transportation (UDOT)

shop which may be suitable for Brian Head's needs. The Parowan City Manager has not yet spoken to the Parowan City Council until Brian Head decides if they would like to purchase the property. Bryce then presented a quote from Pendleton Building (see attached) on the dismantling and reassembly of the metal portion of the existing public safety building, which is scheduled to be removed. Bryce reported the condition of the existing metal would need to be replaced in order to bring the building up to code and could cost a considerable amount of money to the town. Bryce recommended the building be auctioned off.

Discussion was held on other possible locations for a public works storage facility in Parowan.

Consensus of the Council: Staff will advertise for a bid for the salvage/removal of the existing public safety building.

8. PROPOSED RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE. A resolution amending the Consolidated Fee Schedule.

Bryce Haderlie, Town Manager, presented a proposed resolution amending the Consolidated Fee Schedule (see attached). Bryce reported staff has made the changes Council requested and recommended the Council adopt the Consolidated Fee Schedule identifying an effective date for the fee schedule to begin.

Council held discussion on the following items:

1. Color copies will be changed to \$0.50.
2. Utility services fees: water and sewer. Staff will change the rates for 0.5 eru's to reflect a true cost of 50% of the ratio from 1 eru. Water: 0.5 eru will be \$31.00 and Sewer: 0.5 eru will be \$16.50.

Motion: Council Member Ortler moved to adopt Resolution No. 410 amending the Consolidated Fee Schedule with the following changes: 1) Color copies will be \$0.50. 2) Utility Service Fees for Water: 0.5 eru will be \$31.00 and Sewer: 0.5 eru will be \$16.50 and with an effective date of July 01, 2011. Council Member Fausett seconded the motion.

Action: **Motion carried 4-0-0, roll call vote (summary: Yes = 4 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. **Absent:** Council Member Ames).

9. PROPOSED RESOLUTION ADOPTING THE BRIAN HEAD SOCIAL MEDIA POLICY. A resolution adopting the Social Media Policy for the Town of Brian Head.

Nancy Leigh, Town Clerk, presented a proposed resolution adopting the Brian Head Social Media Policy (see attached). Nancy reported the policy has been reviewed by legal and changes Council requested have been implemented into the policy.

Motion: Council Member Ortler moved to adopt Resolution No. 411 establishing the Brian Head Social Media Policy for Brian Head Town with an effective date of July 01, 2011. Council Member Fausett seconded the motion.

Action: **Motion carried 4-0-0, roll call vote (summary: Yes = 4 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. **Absent:** Council Member Ames).

10. PROPOSED ORDINANCE ADOPTING THE PUBLIC BODIES MEETING POLICY AND PROCEDURES. An ordinance adopting a meeting policy for all public boards of the town.

Nancy Leigh, Town Clerk, presented a proposed ordinance establishing the meeting policy and procedures for all public bodies (see attached). Nancy reported that in speaking with legal, a new law that has been passed recently, required all public bodies adopt a meeting policy and procedure. Nancy reported she and legal revised the first draft to include all public bodies instead of just the Town Council as first proposed. The policy was then reviewed by Council.

Motion: Council Member Ortler moved to adopt Ordinance No. 11-003, governing public bodies meeting policy and procedures with an effective date of July 01, 2011 as amended. Council Member Fausett seconded the motion.

Action: **Motion carried 4-0-0, roll call vote (summary: Yes = 4 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler. **Absent:** Council Member Ames).

Bryce Haderlie, Town Manager, then updated the Council on the following items:

1. The Bristlecone SID issues in which staff has employed Congressman Matheson's office to assist in dealing with the FDIC. Cody Deeter, Town's Financial Advisor, has prepared a letter for proposal to Wells Fargo Bank on the terms of restricting the loan to 17-18 years. Staff has not yet received a response from Mr. Emphy in Congressman Matheson's office.
2. Council Member Schwob reported he will not be present for the June 02, 2011 special Council meeting, but stated he could be available by electronic means if necessary for a quorum.
3. Bryce thanked the Council for allowing him to complete his Public Administration Masters Degree.
4. Bryce announced he has accepted the position of bishop with the LDS church in Parowan.
5. Mayor Deutschlander inquired as to the status with the County on the planner position. Bryce reported that Todd Stowell, Five Counties Assoc of Governments, desires the town to continue with its support for the planner position. Kent Sizemore may be approaching the Council to request continued support from the town. The town

1 is unsure if the County may also be approaching the town to change over to their new county planner. Bryce
2 expressed his concern if the town should choose the county planner and Reed Erickson doesn't become the
3 County Planner as anticipated. Council Member Ortler recommended the town continue with Todd Stowell who
4 has been very responsive in attending the Planning Commission meetings.

5 **F. ADJOURNMENT**

6 **Motion:** Council Member Schwob moved to adjourn the regular meeting of the BrianHead Town Council for May
7 24, 2011. Council Member Fausett seconded the motion.

8 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Mayor Deutschlander, Council Member Fausett,**
9 **Council Member Schwob, Council Member Ortler. Absent: Council Member Ames).**

10 The regular meeting of the Brian Head Town Council was adjourned at 2:53 p.m. for May 24, 2011.

11 June 14, 2011

12 Date Approved

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14 Nancy Leigh, Town Clerk/Recorder